

AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Case 1:07-cv-06925-LAK Document 3 Filed 08/20/2007 Page 1 of 1

MARIA MOTA, ON BEHALF OF HERSELF AND ALL OTHER
PERSONS SIMILARLY SITUATED

INDEX #:
07 CV 6925
DATE FILED:
08/01/2007

- against -

BROADWAY OFF PRICE, INC. & GIDEON SHAFIR

Plaintiff(s)
Petitioner(s)

JUDGE:
KAPLAN

Defendant(s)
Respondent(s)

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

TONY CONIGLIARO, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 08/14/2007, 01:15PM at 1301 ST. NICHOLAS AVENUE, NEW YORK NY 10033, deponent served the within SUMMONS IN A CIVIL ACTION & COMPLAINT & JURY DEMAND on GIDEON SHAFIR, a defendant in the above action.

By delivering a true copy thereof to and leaving with SAINEY TRERIA/CO-WORKER, a person of suitable age and discretion at the above address, the said premises being the defendant's place of business within the State of NEW YORK.

C/O BROADWAY OFF PRICE, INC.

Deponent completed service by depositing a copy of the above described papers in a post paid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of NEW YORK, on 08/15/2007 addressed to defendant GIDEON SHAFIR at 1301 ST. NICHOLAS AVENUE, NEW YORK NY 10033 with the envelope bearing the legend PERSONAL AND CONFIDENTIAL and did not indicate on the outside thereof that the communication was from an attorney or concerned an action against the defendant.

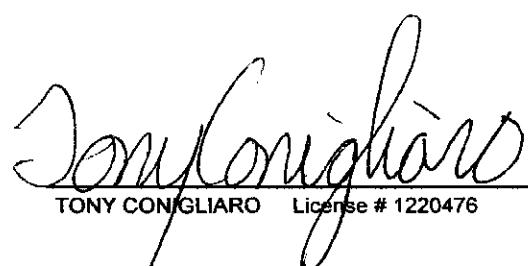
DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex M Approximate age 26 Approximate height 5'08" Approximate weight 148 Color of skin BLACK Color of hair BLACK Other ACCENT

SAINEY TRERIA told the deponent that GIDEON SHAFIR was not presently in the military service of the United States Government or on active duty in the military service in the State of NEW YORK or a dependent of anybody in the military.

THE LAW OFFICE OF
JUSTIN A. ZELLER

840 WEST END AVENUE
APARTMENT #4B
NEW YORK, NY 10025
(212)897-5859


TONY CONIGLIARO License # 1220476

Sworn to before me on 08/15/2007
MAUREEN MCCAFFREY NO.01MC5018583
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN SUFFOLK COUNTY
COMMISSION EXPIRES OCTOBER 4, 2009

